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COLUMBIA, SOUTH CAROLINA

November 14, 2007

**VIA ELECTRONIC FILING**  
**& HAND DELIVERED ORIGINAL**

Mr. Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
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**Re: Application of Duke Energy Carolinas, LLC  
for Approval of Energy Efficiency Plan  
Docket No. 2007-358-E**

Dear Mr. Terreni:

This firm represents Duke Energy Carolinas LLC ("Duke Energy Carolinas" or the "Company") in the referenced docket. I am writing to request that the Commission give us a waiver of certain requirements established by the Docketing Department.

We filed the application on September 28, 2007. On October 12 the Docketing Department sent me a letter requiring us to give notice of the filing by publication and by sending notices directly to customers. We published notice in five newspapers: The State, the Greenville News, the Spartanburg Herald, the Anderson Independent and the Charlotte Observer. Proof of publication in those papers is being filed today. Due to a miscommunication the direct notices to customers were not sent. We ask that the Commission relieve us of the obligation to send those direct notices to customers as requested in the letter from the Docketing Department.

We think the waiver we are requesting is reasonable under the circumstances. The notice given by publication in five newspapers is clearly legally sufficient and has resulted in intervention by a number of parties. In addition, Duke Energy Carolinas has posted the notice on its website where it is readily available to all customers. The Company also intends to send copies of the notice to all customers as billing inserts in the upcoming billing cycle. That cycle will be completed on or about December 21<sup>st</sup>. Should any customers attempt to intervene upon receiving the notice Duke Energy Carolinas will not oppose such intervention.

I have attempted to contact counsel for all parties to discuss this request with

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them. Thus far I have talked to counsel for three of the parties and none of them have objected to our request. If I hear from others I will let you know. Due to the time constraints involved we ask that the Commission consider this request at its meeting scheduled for Friday, November 16. Please contact me if you have any questions about this request.

Yours truly,

ROBINSON, MCFADDEN & MOORE, P.C.



Frank R. Ellerbe, III

FRE/bds

cc: Catherine Heigel, Assistant General Counsel (via email)  
Nanette Edwards, Deputy General Counsel (via email & U.S. Mail)  
Scott Elliott, Esquire (via email & U.S. Mail)  
Jeremy Hodges, Esquire (via email & U.S. Mail)  
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